IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.2051 OF 2006

Mr.Raghunath Baburao Pawar. ...Petitioner.
Vs.
M/s.Raj High-Tech Ventures Pvt.Ltd. ...Respondent.
....
Mr. N.A. Kulkarni for the Petitioner.
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CORAM : DR.D.Y.CHANDRACHUD, J.

June 22, 2006.

P.C.

The Labour Court came to the conclusion that the termination of service of the Petitioner was illegal and ordered reinstatement with back wages from 1st January 1996. The order of the Labour Court was dated 24th November 2004. The order was challenged by the employer and by the impugned order dated 8th August 2005, the Industrial Court while confirming the order of reinstatement with continuity of service, reduced back wages from 50% to 25%. The order of the Industrial Court has been challenged by the workman in so far as it relates to the reduction of back wages from 50% to 25%.

The evidence of the workman would show that he

admitted in the cross-examination that he was drawing Rs. 1500/- p.m. after he left service. With the company he had been drawing Rs.1600/- to Rs.1800/- p.m. In these circumstances, considering short fall of Rs.100/- to Rs.300/-, the order of back wages to the extent of 25% is just and proper. The Industrial Court was justified in coming to the conclusion that the order of backwages to the extent of 50% was exorbitant and was not sustainable. No case for the exercise of the supervisory jurisdiction is made out in this petition. The Petition is dismissed.

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